

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
A.M., on behalf of minor son T.S.,

Plaintiff,

20-cv-10630 (PKC)

-against-

ORDER

CITY OF NEW YORK, et al.,

Defendants,

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CASTEL, United States District Judge.

This is an application for for approval of a settlement and Infant Compromise. Local Rule 83.2 provides that an action brought on behalf of an infant or incompetent shall not be settled, voluntarily discontinued, dismissed or terminated without leave of court “embodied in” an order, judgment or decree. The proceeding shall conform “as nearly as may be” to the New York procedure “but the court, for good cause shown, may dispense with any New York State requirement.”

N.Y. CPLR § 1208 requires two affidavits: (1) the infant or incompetent’s representative; and (2) the attorney for the infant or incompetent. The Court has reviewed the Declarations of the attorney Douglas E. Lieb and the plaintiff’s representative Ayeisha Morrison and they are in substantial compliance with New York law. They demonstrate that that the settlement is fair, reasonable and adequate.

Based upon its review, the Court approves:

(1) the proposed settlement annexed as Exhibit B to the Lieb Declaration;


(2) the distribution of \$6,666.67 as attorneys’ fees and the reimbursement of the \$402 SDNY filing fee to Kaufman Lieb Lebowitz & Frick LLP;

(3) the distribution of \$10,000 of the settlement proceeds to an existing 529 educational savings plan of which T.S. is the sole named beneficiary; and

(4) Approving the distribution of the remaining \$2,931.33 of the client's settlement proceeds to Ms. Morrison for the use and benefit of T.S.

The motions( Doc 26 & 29) are GRANTED. The settlement and Infant Compromise are approved. The July 7, 2021 Conference is adjourned sine die. The action is dismissed with prejudice. The Clerk shall close the case.

SO ORDERED.

  
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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
June 22, 2021